

**APRIL 3, 2006
PARMA CITY HALL COUNCIL CHAMBER
REGULAR COUNCIL MEETING
7:00 P.M.**

The Regular Council Meeting was called to order by President of Council Charles M. Germana presiding:

COUNCIL MEMBERS PRESENT:

SEAN P. BRENNAN
NICHOLAS J. CELEBREZZE
BRIAN DAY
MARY GALINAS
ROY J. JECH
LARRY NAPOLI
KENNETH A. RAMSER
THOMAS J. REGAS
SCOTT M. TUMA

Mr. Chairman – The Roll of Council has been called, and I find a quorum of Council members present.

The following officials and department heads were also present: Mayor Dean E. DePiero, Assistant Law Director Bruce Coury, Treasurer Anthony C. Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, Senior Citizens Director Jo Ann Mason, Community Development Director Erik Tollerup, Mayor's Administrative Assistant Meghann McCall, Director of Public Housing Lev Kulchytsky, and Clerk of Council Thomas Mastroianni.

INVOCATION

The Invocation was given this evening by Clerk of Council Thomas Mastroianni.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

VOICE VOTE:

RESOLUTION NO. 111-06 4/3/06 L-111-06

BY: **R. J. JECH, M. GALINAS**, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, L. NAPOLI,
K. A. RAMSER, T. J. REGAS, S. M. TUMA

A RESOLUTION HONORING PADUA BRUINS HOCKEY
TEAM OHIO HIGH SCHOOL AMATEUR ASSOCIATION
STATE HOCKEY CHAMPIONS

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 111-06. Motion carried.

Mr. Germana – Asked that the Padua Bruins Hockey Team come forward and to have Clerk of Council Thomas Mastroianni read the Resolution in its entirety.

Councilman Jech and Councilwoman Galinas – Presented the Resolution to the Padua Bruins Hockey Team.

Mayor DePiero – Congratulated the Hockey Team and their Coaches.

Coach - Thanked Council for the Resolution.

VOICE VOTE:

RESOLUTION NO. 140-06 4/3/06 L-139-06
BY: **N. J. CELEBREZZE**, S. P. BRENNAN, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI,
K. A. RAMSER, T. J. REGAS, S. M. TUMA

A RESOLUTION HONORING GOOD SHEPHERD
UNITED METHODIST CHURCH ON ITS 80TH
ANNIVERSARY

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt
Resolution No. 140-06. Motion carried.

Mr. Germana – Asked Reverend Robert Kuntz to come forward and to have Clerk of
Council Mastroianni read the Resolution in its entirety.

Councilman Celebrezze – Presented the Resolution to Reverend Kuntz.

Reverend Kuntz – Thanked Council for the Resolution.

LEGISLATIVE COMMENT

Mr. Germana – Asked if anyone from the public would like to comment about any
legislation that Council will be taking final action on tonight. No one wished to speak.

DISPOSAL OF THE JOURNAL

Mr. Germana – Stated, we have the Minutes from the March 6 and the March 20, 2006
Regular Council Meeting. Asked if there were any additions or corrections to these Minutes.
Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Request from Law Director Timothy Dobeck to approve legal representation of Police
Officer Jeffrey Wells and Police Officer Norman Kekic. Motion made by Councilman Brennan,
seconded by Councilman Day, to approve this legal representation. Motion carried.

Proposal to Vary for the applicant James E. Boulas Co., L.P.A., 7914 Broadview Road,
Broadview Heights, Ohio 44147 for property located at 7399 State Road, PPN 452-37-007. The
request is for a "Use" Variance of Section 1170.03 – PLANNING AND ZONING CODE –
SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to open a financial
services office in a Retail Business District. Check cashing businesses or other similar
businesses are permitted only in Commercial/Manufacturing Districts A or B. The applicant is
requesting to open a check cashing business, or similar business, in a Retail Business District.
This Variance would result in allowing a check cashing, or similar type business, to be opened in
a Retail Business District.

Motion made by Councilman Celebrezze, seconded by Councilman Day, to deny this
Variance to James E. Boulas Col, L.P.A. Motion carried.

Proposal to Vary for the applicant Tracie Zamiska, Atwell-Hicks, 30575 Bainbridge Road,
Suite 180, Solon, Ohio 44139 for property located at 5455 Ridge Road (Rite-Aid), PPN 443-17-
007, 008, 009, 010, 011 and 433-20-124. The proposal is for a new commercial building.

The first request is for an "Area" Variance of Section 1197.11(d) – OFF STREET
PARKING AND LOADING FACILITIES – LOADING AND UNLOADING FACILITIES –
SCHEDULE OF REQUIREMENTS. Code requires that loading facilities for all retail stores with
10,000 to 40,000 square feet of gross floor area be a minimum of 2 spaces, 12' x 25'. The
proposal is for one space, 14' x 60'. This Variance would result in 1 less loading space for
building of approximately 14,000 square feet of gross floor area than Code requires.

The second request is for an "Area" Variance of Section 1197.05(24) – SCHEDULE OF
REQUIRED PARKING – BUSINESS. Code requires that drugstores have 1 parking space per
200 square feet, for a total of 73 spaces. The proposal is for 38 spaces. This Variance would
result in 35 less parking spaces for drugstore than Code requires.

COMMUNICATIONS, PETITIONS, AND CLAIMS CONTINUED:

The third request is for an "Area" Variance of Section 1170.08 – SCHEDULE OF YARD AND HEIGHT REGULATIONS – Retail Business District. Code requires that minimum required yards for 1 and 2-story buildings, front from street R.O.W., is 30'. The proposal is for 23' R.O.W. This Variance would result in 7' less front street right-of-way than Code requires.

Motion made by Councilman Celebrezze, seconded by Councilman Day, to grant these Variances to Tracie Zamiska. Motion carried.

Mr. Dan Hopkins, 6612 Southington – Spoke about the project.

Proposal to Vary for the applicant Art Fee of Fee & Associates Architects, 2252 Chatfield Drive, Cleveland, Ohio 44106 for Joseph J. Jacubic Post #572 American Legion of Ohio at 6483 State Road, Parma, Ohio 44134, PPN 451-01-002. The proposal is to build an addition and accessory building to the existing building, along with additional parking.

The first request is for an "Area" Variance of Section 1153.05(4) – SINGLE FAMILY HOUSE DISTRICTS – PUBLIC FACILITIES. Code requires that the minimum side or rear yard for a main building shall not be less than 50' from a residential property line. The proposal is 14'10" side yard on new addition. This Variance would result in 35'2" less for side yard than Code requires.

The second request is for an "Area" Variance of Section 1197.05(13) – OFF STREET PARKING AND LOADING FACILITIES – SCHEDULE OF REQUIRED PARKING. Code requires that parking for places of assembly be 1 space per 4 seats in a building or structure, plus 1 space per each 2 employees, or 1 space per 35 square feet, plus 1 space per employee, whichever is greater. Parking required at this facility is 1 space per 35 square feet, plus 1 space per each 2 employees, for a total of 173 spaces. The request is for 1 space per 4 seats in a building or structure, plus 1 space per each 2 employees. This Variance would result in allowing the use of lesser parking calculations totaling 51 spaces.

The following Variance for the storage facility has been dropped because the applicant feels that they can utilize the space that they are vacating in the lower part of the hall, so they won't have to add the additional storage shed. The request was for an "Area" Variance of Section 1193.03(b) – SIDE YARDS – MULTIFAMILY DISTRICTS – MINIMUM DISTANCE BETWEEN BUILDINGS AND SIDE OR REAR LOT LINES. Code requires rear and side yard shall be open and unobstructed from the ground to the sky and no structure, building or accessory use shall be permitted thereon. The proposal is to erect an accessory storage shed building in the rear yard. This Variance would result in allowing for storage building.

Mr. Germana – Said Variance will be referred to the Planning Committee.

Proposal to Vary for the applicants Cole & Russell Architects, 537 E. Pete Rose Way, Cincinnati, Ohio 45202-3502 and Osborn Engineers, 1300 E. 9th Street, Cleveland, Ohio 44114 for a new Fire Station #1 at 5625 Pearl Road, PPN 443-02-007, 008, 009, 010.

The first request is for an "Area" Variance of Section 1170.06 – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF LOT AREA, WIDTH AND COVERAGE REGULATIONS. Maximum lot coverage allowed in Retail Business District is 30%. The proposed lot coverage is 38.5%, or 42.6% with alternate bay. This Variance would result in 8.5% for more maximum lot coverage without alternate bay, or 10.6% more with alternate bay than Code allows.

The second request is for an "Area" Variance of Section 1170.08 – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF YARD AND HEIGHT REGULATIONS. Code requires that front yard setback in Retail Business District shall conform with current zoning map dimensions which indicate 30' front yard setback. The proposed front yard setback is 9'6". This Variance would result in 20'4" less front yard setback in Retail Business District than Code requires.

The third request is for an "Area" Variance of Section 1199.06 – SCREENING AND BUFFERING – LANDSCAPED BUFFER AREAS FOR REAR AND SIDE YARDS. Code requires landscape buffer of 12' when adjacent to residential land use. The proposed is an 8' high wood

COMMUNICATIONS, PETITIONS, AND CLAIMS CONTINUED:

fence continuous along property line with no landscaping buffer. This Variance would result in 12' less landscape buffer next to residential land use than Code requires.

The fourth request is for an "Area" Variance of Section 1185.02 – HEIGHT REGULATIONS – DISTRICT NO. 1. Code requires height of a building at the building line in District #1 is limited to 35'. The proposed height is 41' to the top of the hose tower. This Variance would result in 6' more for height of building in District #1 than Code allows.

The fifth request is for an "Area" Variance of Section 1197.09 – OFF STREET PARKING AND LOADING FACILITIES – SURFACE CONSTRUCTION; IMPROVEMENT; GRADING; DRAINAGE PLANS; CURBS. Code requires all parking areas shall require grass and 6" curbs around the parking area to prevent vehicles from projecting into required yards and public rights of way and to define parking areas. The proposal is for no curbs around parking areas. The Variance would result in no curbs around parking areas than Code requires.

Mr. Germana – Said Variances will be referred to the Planning Committee.

Proposal to Vary for the applicants Cole & Russell Architects, 537 East Pete Rose Way, Cincinnati, Ohio 45202-3502 and Osborn Engineers, 1300 East 9th Street, Cleveland, Ohio 44114 for a new Fire Station #2 at 3311 Snow Road, PPN 446-01-091 through 094; 112-119, part of 095, 111 and 120.

The first request is for an "Area" Variance of Section 1170.08 – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF YARD AND HEIGHT REGULATIONS. Code requires setback from adjacent residential district of 20'. The proposed setback from the west residential boundary line is 10'. This Variance would result in 10' less setback from the west residential boundary line than Code requires.

The second request is for an "Area" Variance of Section 1199.06 – SCREENING AND BUFFERING – LANDSCAPED BUFFER AREAS FOR REAR AND SIDE YARDS. Code requires landscape buffer of 16' at the rear and side yards when adjacent to residential land use. The proposed landscape buffer is 0' on the east, west and south sides. This Variance would result in 16' less landscape buffer next to the residential land use on the east, west and south sides than Code requires.

The third request is for an "Area" Variance of Section 1185.02 – HEIGHT REGULATIONS – DISTRICT #1. Code requires height of a building at the building line in District #1 be limited to 35'. The proposed height is 41' to the top of the hose tower. This Variance would result in 6' more for height of building in District #1 than Code allows.

The fourth request is for an "Area" Variance of Section 1197.09 – OFF STREET PARKING AND LOADING FACILITIES – SURFACE CONSTRUCTION; IMPROVEMENTS; GRADING; DRAINAGE PLANS CURBS. Code requires all parking areas shall require grass and 6" curbs around the parking area to prevent vehicles from projecting into the required yards and public rights of way and to define parking areas. The proposal is for no curbs around the parking areas. This Variance would result in no curbs around the parking areas than Code requires.

Mr. Germana – Said Variances will be referred to the Planning Committee.

FIRST READING:

ORDINANCE NO. 116-06

4/3/06

L-115-06

BY: **S. M. TUMA**

(By Request – City Engineer/Building Commissioner)

AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO A MEMORANDUM OF UNDERSTANDING
WITH THE CUYAHOGA SOIL AND WATER CONSERVATION
DISTRICT, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

FIRST READING CONTINUED:

RESOLUTION NO. 118-06 4/3/06 L-117-06
BY: **S. M. TUMA**

A RESOLUTION TO RENAME THE PARMA SENIOR
CENTER TO THE PARMA ADULT ACTIVITY CENTER
AND OFFICE ON AGING

Mr. Germana – Said Resolution will be referred to the Governmental Operations
Committee.

ORDINANCE NO. 121-06 4/3/06 L-120-06
BY: **M. GALINAS**
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A
CONTRACT WITH CLEVELAND COMMUNICATIONS, INC.,
FOR THE INSTALLATION, PARTS AND LABOR FOR THE
CHANGEOVER EQUIPMENT FOR THE SIX (6) 2006
CHEVROLET IMPALA POLICE CRUISERS, AND DECLARING
AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

RESOLUTION NO. 123-06 4/3/06 L-121-06
BY: **S. M. TUMA**
(By Request – Director of Public Service)

A RESOLUTION AUTHORIZING AND DIRECTING THE
DIRECTOR OF PUBLIC SERVICE TO ISSUE A PERMIT
TO TRANSPORT INTO THE TERRITORIAL LIMITS OF
THE CITY OF PARMA, FIREWORKS AND FIREWORK
SUNDRIES FOR A PYROTECHNIC DISPLAY, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Resolution will be referred to the Public Safety Committee.

ORDINANCE NO. 124-06 4/3/06 L-122-06
BY: **S. M. TUMA**
(By Request – Director of Public Service)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN
AGREEMENT WITH THE BEST BIDDER FOR THE
PURCHASE OF A PYROTECHNICS DISPLAY, INCLUDING
A LICENSED PYROTECHNIC AND QUALIFIED ASSISTANTS,
AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

FIRST READING CONTINUED:

ORDINANCE NO. 125-06

4/3/06

L-123-06

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A CONTRACT
UNDER THE STATE OF OHIO COOPERATIVE PURCHASE
PROGRAM FOR THE LEASE/PURCHASE OF A NEW
HOLLAND 2006 MODEL TC45DA DELUXE TRACTOR, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 126-06

4/3/06

L-124-06

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH
THE LOWEST AND BEST BIDDER FOR THE 2006
PAVEMENT MAINTENANCE PROGRAM, AND DECLARING
AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 127-06

4/3/06

L-125-06

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH
THE LOWEST AND BEST BIDDER FOR THE PURCHASE
OF CONCRETE, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 128-06

4/3/06

L-126-06

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH
THE LOWEST AND BEST BIDDER FOR THE PURCHASE
OF ASPHALT CONCRETE AND ASPHALT PLANING, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

FIRST READING CONTINUED:

ORDINANCE NO. 129-06 4/3/06 L-127-06

BY: **S. M. TUMA**
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH
THE LOWEST AND BEST BIDDER FOR THE PURCHASE
OF GASOLINE AND FUEL OIL, AND DECLARING AN
EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 130-06 4/3/06 L-128-06

BY: **S. M. TUMA**
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR
OF PUBLIC SERVICE TO ENTER INTO A CONTRACT
WITH THE LOWEST AND BEST BIDDER FOR THE
PURCHASE OF MOTOR OIL AND LUBRICANTS, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 131-06 4/3/06 L-129-06

BY: **S. M. TUMA**
(By Request – Director of Public Service)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A CONTRACT UNDER
THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM
FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT),
AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 132-06 4/3/06 L-130-06

BY: **T. J. REGAS**

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SERVICE OF THE CITY OF PARMA
TO ENTER INTO A LICENSE AGREEMENT WITH THE NORTH
UNION FARMERS MARKET TO MANAGE AND ADMINISTER
A FARMERS MARKET AT STEARNS HOMESTEAD, ALSO
KNOWN AS PERMANENT PARCEL NUMBER 450-18-1, AT
6975 RIDGE ROAD, PARMA, OHIO, AND PROPERTY LOCATED
SOUTH OF STEARNS HOMESTEAD, ALSO KNOWN AS
PERMANENT PARCEL NUMBER 450-19-2, AT 6995 RIDGE ROAD
IN THE CITY OF PARMA DURING THE 2006 SEASON, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

FIRST READING CONTINUED:

ORDINANCE NO. 133-06

4/3/06

L-131-06

BY: **N. J. CELEBREZZE**

(By Request – City Engineer/Building Commissioner)

AN ORDINANCE ACCEPTING THE PLAT OF WALTER'S
RESERVE SUBDIVISION NO. 1, IN THE CITY OF PARMA,
OHIO, AND CONFIRMING THE DEDICATION OF GOAN'S
PLACE, AS INDICATED ON SAID PLAT, TO PUBLIC USE
AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Planning Committee.

RESOLUTION NO. 138-06

4/3/06

L-137-06

BY: **S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI,
K. A. RAMSER, T. J. REGAS, S. M. TUMA**

A RESOLUTION TO OPPOSE CONSTITUTIONAL TAX AND
EXPENDITURE LIMITATION PROPOSALS, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Resolution will be referred to the Governmental Operations
Committee.

ORDINANCE NO. 143-06

4/3/06

L-141-06

BY: **M. GALINAS**

(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A
CONTRACT WITH CLEVELAND COMMUNICATIONS, INC.
FOR THE INSTALLATION, PARTS AND LABOR FOR THE
CHANGEOVER EQUIPMENT FOR THE SIX (6) 2006
HARLEY-DAVIDSON MOTORCYCLES FOR THE PARMA
POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 146-06

4/3/06

L-145-06

BY: **M. GALINAS**

(By Request – Safety Director)

AN ORDINANCE TO AMEND PORTIONS OF SECTION
1302.05 "AMENDMENTS" OF CHAPTER 1302 "INTERNATIONAL
FIRE CODE" OF THE CODIFIED ORDINANCES OF THE CITY
OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Public Safety Committee.

SECOND READING:

ORDINANCE NO. 114-06

3/20/06

L-13-06

BY: **S. P. BRENNAN, B. DAY**

AN ORDINANCE TO AMEND SECTIONS 1127.01 "PURPOSE"; 1127.05 "HEARINGS; QUORUM; VOTING"; 1127.09 "REASONS AND STANDARDS FOR GRANTING USE VARIANCES GENERALLY"; 1127.10 "REASONS AND STANDARDS FOR GRANTING AREA VARIANCES GENERALLY"; 1127.12 "LAPSE OF VARIANCES"; 1127.13 "PROCEDURE UPON PROPOSAL TO VARY"; AND 1127.14 "APPEALS TO COMMON PLEAS COURT" OF CHAPTER 1127 "BOARD OF ZONING APPEALS OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA

Motion made by Councilman Celebrezze, seconded by Councilman Day, to refer Ordinance No. 114-06 back to the Planning Committee and to the Planning Commission. Motion carried.

ORDINANCE NO. 136-06

3/28/06

L-135-06

(Special Meeting)

BY: **S. M. TUMA, S. P. BRENNAN, B. DAY**

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$9,140,000 CITY OF PARMA, OHIO, TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF MAKING A LOAN TO PRL CORPORATION FOR A PROJECT UNDER CHAPTER 165, OHIO REVISED CODE; AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No. 136-06 back to the Finance Committee. Motion carried.

ORDINANCE No. 137-06

3/28/06

L-136-06

(Special Meeting)

BY: **S. M. TUMA , S. P. BRENNAN, B. DAY**

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$65,455,000 CITY OF PARMA, OHIO, HOSPITAL REVENUE BONDS, SERIES 2006, FOR THE PURPOSE OF REFUNDING CERTAIN HOSPITAL REVENUE BONDS OF THE CITY AND PAYING COSTS OF HOSPITAL FACILITIES FOR PARMA COMMUNITY GENERAL HOSPITAL; AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No. 137-06 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION OF THE RULES:

RESOLUTION NO. 108-06 3/20/06 L-108-06
BY: **R. J. JECH**, B. DAY, M. GALINAS, L. NAPOLI, K. A. RAMSER, T. J. REGAS,
S. M. TUMA, S. P. BRENNAN, N. J. CELEBREZZE
(By Request – Mayor)

A RESOLUTION IN SUPPORT OF “MOTORCYCLE
AWARENESS MONTH”, DESIGNATED FOR THE
MONTH OF MAY, 2006, AND DECLARING AN
EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct
reading of Resolution No. 108-06 on three different days be dispensed with?
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.
No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt
Resolution No. 108-06.
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.
No: None; Resolution No. 108-06 is adopted.

ORDINANCE NO. 112-06 3/20/06 L-112-06
BY: **S. M. TUMA**, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI, K. A. RAMSER, T. J. REGAS,
S. P. BRENNAN, N. J. CELEBREZZE

AN ORDINANCE TO PROVIDED FOR THE ISSUANCE
AND SALE OF AN AMOUNT NOT TO EXCEED
\$555,000 OF NOTES OF THE CITY OF PARMA IN
ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE
PURPOSE OF PAYING THE CITY'S PORTION OF COSTS
OF CERTAIN IMPROVEMENTS TO VARIOUS INTERSECTIONS
IN THE CITY OF PARMA, CONSISTING OF THE ACQUISITION
AND INSTALLATION OF TRAFFIC SIGNALIZATION MAST
ARMS AND EQUIPMENT, CONSTRUCTION OF HANDICAP
RAMPS AND THE ACQUISITION AND CONSTRUCTION OF
RELATED IMPROVEMENTS AND NECESSARY APPURTENANCES
THERETO, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct
reading of Ordinance No. 112-06 on three different days be dispensed with?
Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.
No: None; motion carried.

FISCAL OFFICER'S CERTIFICATE

Parma, Ohio
April 3, 2006

TO THE COUNCIL OF THE CITY OF PARMA, OHIO:

As fiscal officer of the City of Parma, I certify in connection with the proposed issue of
notes not to exceed \$555,000 (the “Notes”) to be issued in anticipation of the issuance of bonds
(the “Bonds”) for the purpose of paying the City's share of the costs of certain improvements to
various intersections in the City of Parma, consisting of the acquisition and installation of traffic
signalization mast arms and equipment, the construction of handicap ramps, and the acquisition
and construction of related improvements and necessary appurtenances thereto, being part of the
project known as Cuyahoga County – City of Parma – State Route 3/U.S. Route 42/State Route
94 – Federal Project No. G020(019), that:

FISCAL OFFICER'S CERTIFICATE CONTINUED:

1. The estimated life or period of usefulness of the improvements from the proceeds of such issue is certified to be at least five (5) years.

2. The maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is fifteen (15) years, provided that if notes in anticipation of those bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five years must be deducted from the maximum maturity of those bonds.

3. The maximum maturity of the Notes issued in anticipation of bonds is twenty (20) years from the date the original notes are issued for such purpose.

Dennis M. Kish

Auditor

City of Parma, Ohio

Motion made by Councilman Tuma, seconded by Councilman Day, to accept the Fiscal Officer's Certificate as read, spread it upon the Minutes, and attach copy of same to the red rule copy of Ordinance No. 112-06. Motion carried.

Mayor DePiero – Stated, the bids on this project came in at least \$400,000 less than the projected bid price. Although we are authorizing this bond amount, it is likely we won't even come near that amount for the City's portion.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 112-06.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; Ordinance No. 112-06 is adopted.

THIRD READING:

ORDINANCE NO. 31-06

2/6/06

L-24-06

BY: S. M. TUMA

(By Request – Purchasing and Personnel Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR
GROUP LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT
INSURANCE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to hold Ordinance No. 31-06 on Third Reading. Motion carried.

SUSPENSION OF THE RULES:

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 117-06, Resolution No. 122-06, Resolution No. 134-06, Resolution No. 141-06, Resolution No. 142-06, and Resolution No. 144-06 on three different days be dispensed with?

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; motion carried.

SUSPENSION OF THE RULES CONTINUED:

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 117-06, Resolution No. 122-06, Resolution No. 134-06, Resolution No. 141-06, Resolution No. 142-06, and Resolution No. 144-06 be placed on final passage?

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; motion carried.

ORDINANCE NO. 117-06 4/3/06 L-116-06
BY: **M. GALINAS**, B. DAY, R. J. JECH, L. NAPOLI, K. A. RAMSER, T. J. REGAS,
S. M. TUMA, S. P. BRENNAN, N. J. CELEBREZZE
(By Request – City Engineer/Building Commissioner)

AN ORDINANCE TO AMEND SUBSECTION (a)
OF SECTION 1703.16 “MULTIPLE DWELLING” AND
SECTION 1713.05 “FEES” OF THE CODIFIED
ORDINANCES OF THE CITY OF PARMA, AND
DECLARING AN EMERGENCY

Councilman Day – Asked for a brief explanation.

Don Graves – Stated, this will change the definition of multiple dwelling from five to three. The State Code states three or more units. Also in the fee section, it will change the fees of one to four dwellings to \$75.00; five to fifty units will be \$15.00 per unit; fifty-one or more units will be \$13.00 and shall not exceed the sum of \$1,000.00. The \$1,000.00 cap has not changed. The other units have changed by a \$1.00 per unit fee.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 117-06.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; Ordinance No. 117-06 is adopted.

RESOLUTION NO. 122-06 4/3/06 L-133-06
BY: **T. J. REGAS, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH,**
L. NAPOLI, K. A. RAMSER, S. M. TUMA

A RESOLUTION IN SUPPORT OF HOUSE BILL NO. 378,
RELATIVE TO THE TAX CODE AS IT APPLIED TO OHIO
MILITARY, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 122-06.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; Resolution No. 122-06 is adopted.

RESOLUTION NO. 134-06 4/3/06 L-132-06
BY: **M. GALINAS**, B. DAY, R. J. JECH, L. NAPOLI, K. A. RAMSER, T. J. REGAS, S. M. TUMA,
S. P. BRENNAN, N. J. CELEBREZZE
(By Request – Community Development Director)

A RESOLUTION ACCEPTING THE TAX INCENTIVE
REVIEW COUNCIL’S RECOMMENDATIONS TO THE
CITY COUNCIL, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 134-06.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, *Brennan, Celebrezze.

No: None; Resolution No. 134-06 is adopted.

SUSPENSION OF THE RULES CONTINUED:

*Brennan – Thanked Mr. Tollerup for his diligence and hard work on this.

RESOLUTION NO. 141-06 4/3/06 L-143-06
BY: **S. M. TUMA, K. A. RAMSER, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY,
M. GALINAS, R. J. JECH, L. NAPOLI, T. J. REGAS**

A RESOLUTION IN SUPPORT OF HOUSE BILL NO. 537
RELATIVE TO SEXUAL OFFENDER SENTENCING, AND
DECLARING AN EMERGENCY

Councilman Tuma – Stated, the State is taking a serious look at making stricter laws when it comes to sexual offenders for certain age groups. There are many loopholes around the State and city laws. We need to do anything we can to protect our children.

Councilman Brennan – Thanked Councilman Tuma for bringing this bill to our attention.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt
Resolution No. 141-06.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; Resolution No. 141-06 is adopted.

RESOLUTION NO. 142-06 4/3/06 L-140-06
BY: **M. GALINAS, B. DAY, R. J. JECH, L. NAPOLI, K. A. RAMSER, T. J. REGAS, S. M. TUMA,
S. P. BRENNAN, N. J. CELEBREZZE**
(By Request – Director of Public Safety)

A RESOLUTION AUTHORIZING THE AUDITOR TO
ACCEPT THE DONATION OF CURRENT SICK LEAVE
ACCUMULATION INTO THE SICK LEAVE ACCOUNT OF
PATROLMAN JAMES BURGER IN ORDER TO CONTINUE
HIS PAYROLL WHILE HE IS RECUPERATING FROM
SERIOUS INJURIES HE RECEIVED IN AN ACCIDENT,
AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt
Resolution No. 142-06.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; Resolution No. 142-06 is adopted.

RESOLUTION NO. 144-06 4/3/06 L-142-06
BY: **S. M. TUMA**
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S
POST CERTIFICATION OF REQUISITIONS AS
DETAILED IN EXHIBIT "A", AND DECLARING AN
EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt
Resolution No. 144-06.

Yes: Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; Resolution No. 144-06 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Mr. Germana – Asked the Mayor if he had any appointments or confirmations at this time.

Mayor DePiero – Stated that there were none.

PUBLIC SESSION

Mr. Sebastian Tinnerelo, 7902 Thornton Drive – Thanked the Administration and Council in regards to a situation which occurred next door to him. The resident threw out some tires, which were not picked up by the rubbish collection. Stated, he called the City Service Department and the tires were picked up. Across the street is an unruly dog, which is not on a leash and runs loose. Police were called and were there in a short time, along with the Animal Warden. Two days later, the Animal Warden came out to check on the situation and checked the yard to see that the animal was well-penned up.

MISCELLANEOUS BUSINESS

Mayor DePiero – Following up on Mr. Hopkins, the developer at the Pearl Road and Ridge Road property, stated we are happy to have him and his project. Thanked Erik Tollerup, Shelley Cullins, Paul Deichmann, Meghann McCall who all helped to make sure that that project occurred. Stated the windows at City Hall are being replaced due to the fact that Council passed the energy bill project. The boilers and doors will also be replaced to help conserve energy. Thanked Jo Ann Mason and Normandy High School who helped sponsor the senior-senior prom from 4-7 p.m. With the passage of Ordinance No. 141-06 regarding sexual predators, it is especially appropriate because April is Child Abuse Awareness Month in the State of Ohio.

Safety Director Baeppler – Thanked Mr. Tinnerelo for bringing this to our attention. Stated he hears many good things about our Animal Warden. She always follows up to see that effective action was taken.

Service Director Higgins – Stated, soon the street sweepers will be out and we will sweep the whole city. We have numerous tree lawn repairs to make, some sidewalks from sewer dig jobs, and numerous chuck holes throughout the city. Hopefully, by the end of the week, he will have a good roads list for all members of Council to review.

Treasurer Zielinski – Stated, last week we signed on a refunding deal for the Justice Center bonds. We are able to save the residents over \$345,000.

Assistant Law Director Coury – No comment.

Councilman Day – No comment.

Councilwoman Galinas – No comment.

Councilman Jech – No comment.

Councilman Napoli – No comment.

Councilman Ramser – No comment.

Councilman Regas – No comment.

Councilman Tuma – Stated, commend the Animal Warden for her hard work with Councilwoman Galinas and the other Council members on the Animal Ordinance that is being revised. Stated, the vicious dog ordinance is something they are taking a second look at. Stated, it is important for both victims and for the city to take a good look at this portion of the law. Congratulated the Padua Hockey Team for winning the State Championship. Thanked Council for supporting Resolution No. 141-06 in connection with stronger sentencing for sexual offenders.

Councilman Brennan – Stated, he provided all members of Council with information on the Relay For Life. Thanked everyone for supporting the Variances on Ridge and Pearl. Thanked the Animal Warden for helping him with a dying skunk in a resident's front yard.

MISCELLANEOUS BUSINESS CONTINUED:

Councilman Celebrezze – Thanked the members of Council and the Administration for helping him distribute the Ward Three newsletters a few weeks ago. Thanked all the residents in his Ward who did attend the first Ward Three meeting.

Mr. Germana – Stated, tomorrow night is the League of Women Voters candidates forum and issue forum at Schaaf at 7:00 p.m. There will be a panel discussing Issue 34 and answering any questions. Stated we have to keep up our housing values because there is a surplus of housing in our area. The comparison of Parma to Shaker Heights was a disappointment. The average distance between churches in the City of Parma is a quarter of a mile.

REPORT ON ABSENT MEMBERS

Motion made by Councilman Brennan, seconded by Councilman Day, to excuse Auditor Dennis M. Kish. Motion carried.

ADJOURNMENT

Motion made by Councilman Brennan, seconded by Councilman Day, to adjourn said regular Council Meeting. Motion carried.

CERTIFICATION

I, Thomas Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify that the above is a true and correct copy of the Minutes of the Regular Council Meeting held on Monday, April 3, 2006.

THOMAS MASTROIANNI
CLERK OF COUNCIL

CHARLES M. GERMANA
PRESIDENT OF COUNCIL

Meeting adjourned at 8:30 P.M.

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Minutes completed Tuesday, April 18, 2006

